

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MARTIN NICHOLAS JOHN TROTT AND
CHRISTOPHER JAMES SMITH, ON BEHALF
OF AND SOLELY IN THEIR CAPACITY AS
THE FOREIGN REPRESENTATIVES AND
JOINT OFFICIAL LIQUIDATORS OF
MADISON ASSET LLC (IN LIQUIDATION),

Plaintiffs,

-against-

DEUTSCHE BANK AG,

Defendant.

USDC SDNY
DOCUMENT
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DATE FILED: 8/16/2022

1:20-cv-10299-MKV

ORDER

MARY KAY VYSKOCIL, United States District Judge:

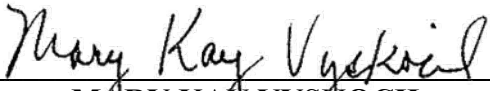
The Court held a telephonic initial pretrial conference on August 2, 2022. Counsel for all parties were in attendance. At the conference, Deutsche Bank advised the Court that it was scheduled to participate in a mediation in a related action, *Pearson, et al., v. Deutsche Bank AG, et al.*, Case No. 21-cv-22437-BLOOM/Otazo-Reyes (S.D. Fla.). That mediation was scheduled for October 7, 2022 before former Judge Layn Phillips. [ECF No. 80].

The parties have now filed a joint letter informing the Court that both parties are willing to participate in the scheduled mediation, to work to arrange a separate mediation with former Judge Layn Phillips, or to arrange another form of alternative dispute resolution. However, although Deutsche Bank is agreeable to including both the plaintiffs in this action and in the *Pearson* action in the scheduled mediation, the plaintiffs in the *Pearson* action are not agreeable to a joint mediation session. It is unclear from their letter whether the parties have discussed scheduling a separate mediation before Judge Phillips or whether Judge Phillips would be willing to lead a mediations session between these parties.

Accordingly, on or before August 23, 2022, the parties shall file a letter informing the Court as to whether they seek a referral to the magistrate judge assigned to this case for purposes of settlement or to the SDNY Mediation Program. Should the parties wish to proceed with private mediation, either before Judge Phillips or another mediator, the parties shall so advise the Court.

SO ORDERED.

Date: August 16, 2022
New York, NY



MARY KAY VYSKOCIL
United States District Judge